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January 8, 2021

The Hon. Margo Brodie  
U.S. District Court Judge, Eastern District of New York  
Brooklyn, New York  
VIA ECF

Re:      U.S. v. Lawal Babafemi, 13-cr-00109(MKB)

Dear Judge Brodie,

This Court appointed me pursuant to the Criminal Justice Act to assist Mr. Lawal Babafemi in connection with his previously filed *pro se* § 2255 motion. The Court then granted me permission to file a supplement to that motion. That submission is due on January 13, and I anticipate being able to file a supplementary affidavit and memorandum on that date.

However, my client also filed a *pro se* motion for compassionate release on August 21, 2020 (ECF document # 70), and recently filed a letter with the Court inquiring as to the status of that application (ECF document # 76). It is not clear to me whether the Court expects me to submit a supplement to this *pro se* motion for compassionate release, however, and I write to clarify the scope of my appointment.

I would be happy to assist Mr. Babafemi with his *pro se* motion for compassionate release, but I would not be able to submit anything by the January 13 deadline as I have been operating under the assumption (perhaps mistaken, admittedly) that I was only expected to assist on the §2255 motion.. If the Court wants me to assist Mr. Babafemi with that second motion, then I would ask for some additional time to prepare a supplement to this second motion. (The Court could adjourn the deadline for both motions or just set a schedule for the second motion without any objection from me). I am not sure, honestly, whether I would need to be appointed again by this Court or whether the original appointment would satisfy the clerks at the Criminal Justice Act office. If the Court does in fact want me to assist Mr. Babafemi with his *pro se* compassionate release motion, then I would simply ask that the Court confirm that fact for the CJA office with an order so that I am not unfairly limited by the statutory compensation cap for work on a §2255 motion.

Respectfully submitted,

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/s/\_\_\_\_\_

Matthew J. Galluzzo

CC:  
AUSA Sarah Evans  
VIA ECF